

**COMBINED DECLARATION AND POWER OF ATTORNEY
IN ORIGINAL APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name,

I believe that I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

VACUUM INSULATED QUARTZ TUBE HEATER ASSEMBLY

the specification of which

☒ [X] is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56,

X and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent;

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application, filed under 35 USC 111(b), listed below:

60/426.779
(Provisional Application No.)

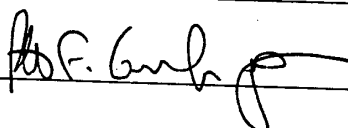
November 15, 2002
(Filing Date)

ATTORNEY DOCKET NO. 1-15692

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith with full power of substitution and revocation: Stephen P. Evans, Reg. No. 47,281; Donald A. Schurr, Reg. No. 34,247; D. Edward Dolgorukov, Reg. No. 26,266; Mark A. Hixon, Reg. No. 44,766; Phillip S. Oberlin, Reg. No. 19,066; Angelica M. Colwell, Reg. No. 46,637 and Stephen G. Kimmet, Reg. No. 52,488. Address all telephone calls to Stephen G. Kimmet at telephone number (419) 249-7132. Address all correspondence to: MARSHALL & MELHORN, LLC, Four SeaGate - 8th Floor, Toledo, Ohio 43604, Attention Stephen G. Kimmet.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor PETER F. GERHARDINGER

Inventor's signature  Date Oct 8, 2003

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